

UNITED STATES DISTRICT COURT

for the

Western District of Texas

The State of Texas

Plaintiff(s)

v.

U.S. Department of Homeland Security, et al.

Defendant(s)

Civil Action No. 2:23-cv-00055

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* U.S. Border Patrol
 by registered or certified mail to:
 Office of Chief Counsel
 U.S. Customs and Border Protection
 1300 Pennsylvania Avenue, Suite 4.4-B
 Washington, D.C. 20229

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Ryan D. Walters
 Office of the Attorney General
 Special Litigation Division
 PO Box 12548, Capitol Station
 Austin, TX 78711-2548
 ryan.walters@oag.texas.gov

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT, PHILIP J. DEVLIN

Date:

10/26/23



Philip J. Devlin
 Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 2:23-cv-00055

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* US Border Patrol
 was received by me on *(date)* 10/26/2023 .

☒ I personally served the summons on the individual at *(place)* Office of Chief Counsel - U.S. Customs and Border Protection
1300 Pennsylvania Avenue, Suite 4.4-B, Washington, D.C. on *(date)* 10/27/2023 ; or
 20229

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: 10/30/2023

/s/ Ryan D. Walters

Server's signature

Ryan D. Walters, Chief for Special Litigation Division

Printed name and title

Office of the Attorney General
 PO Box 12548, Capitol Station
 Austin, TX 78711-2548

Server's address

Additional information regarding attempted service, etc:

On October 27, 2023, I served this summons, Plaintiff's Original Complaint, Plaintiff's Motion for Preliminary Injunction or Stay of Agency Action and Appendix, and Plaintiff's Emergency Motion for a Temporary Restraining Order or Stay of Agency Action and Appendix; via Certified Mail, Return Receipt Requested - 7004 1160 0000 7305 6259-Delivered 10/30/23.

[FAQs >](#)

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WASHINGTON, DC 20229

October 30, 2023, 6:37 am

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WASHINGTON, DC 20229

October 29, 2023, 9:56 am

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WASHINGTON, DC 20018

October 29, 2023, 8:46 am

Arrived at USPS Regional Facility

WASHINGTON DC DISTRIBUTION CENTER

October 29, 2023, 1:46 am

Departed USPS Regional Facility

AUSTIN TX DISTRIBUTION CENTER

October 28, 2023, 8:04 am

Arrived at USPS Regional Facility

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FAQs

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City, State, ZIP+4

PS Form 3800, June 2002

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- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

US Border Patrol Office of Chief
Counsel
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, Suite 4.4-B
Washington, D.C. 20229



9590 9402 6326 0296 0612 47

2. Article Number (Transfer from service label)

7004 1160 0000 7305 6259

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☐ Agent

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C. Date of Delivery

- D. Is delivery address different from item 1? ☐ Yes
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